

Fact Sheet on New Proposed Guidelines to Implement National Standard 1 of the Magnuson-Stevens Act

NOAA Fisheries Service is proposing to modify the guidelines that help fishery managers implement National Standard 1 of the Magnuson-Stevens Fishery Conservation and Management Act. National Standard 1 requires fishery managers to prevent overfishing and rebuild stocks in federal waters - from three to 200 miles off U.S. coasts - while achieving the optimum yield from each fishery. Overfishing is a level of fishing that threatens the long-term health and sustainability of a fishery. Optimum yield is based on the maximum sustainable yield a fishery can produce, as reduced by ecological, economic and social considerations.

The new guidelines will result in more immediate benefits to marine ecosystems while maintaining a reasonable amount of flexibility to address the needs of fishing communities. These guidelines would apply to any new fishery management plan and amendments to existing rebuilding plans.

The agency last revised the guidelines for National Standard 1 in 1998. Since then, the Councils have developed 49 rebuilding plans for the nation's depleted fish stocks. With seven years of experience, the agency is proposing these guideline changes to enhance the Councils' ability to establish consistent "overfishing" and "depleted" definitions and implement rebuilding plans.

Under the proposed new guidelines:

- Councils would end overfishing within the first year of a rebuilding plan, except under certain conditions specified by law in the Magnuson-Stevens Act. These conditions include the biology of the stock, the needs of fishing communities, recommendations by international organizations and the interaction of the overfished stock within the marine ecosystem.
- Councils would set the target catch, called the optimum yield, for a given fishery at less than the maximum sustainable yield. The current guidelines allow the Councils to set optimum yield equal to the maximum sustainable yield. This change would reduce the risk of overfishing by providing a buffer between the target fishing rate and the rate that would produce the maximum sustainable yield.
- Councils would set a more conservation-oriented target time to rebuild. Many current rebuilding plans have set the target rebuilding timeframe to the maximum possible, in this case ten years. The proposed rule would establish a default target time that is halfway between the minimum and maximum allowable time, to ensure that rebuilding occurs in as short a time as possible and factors specified in the MSA are fully considered before a rebuilding period is extended to the maximum.

For example, if a fishery could rebuild in five years with no fishing and that species has a generation time of six years, the new guidelines would set the maximum time to rebuild at eleven years. The default target time to rebuild would be set at eight years (midway between the calculated minimum and maximum times to rebuild).

- Fish stocks for which there is little known scientific information could be grouped into stock assemblages for assessment and management purposes. The criteria for a stock assemblage would include species that live together, have similar life histories and are caught by the same gear. This science-based approach is an important step toward managing fisheries within the context of the whole marine ecosystem. It is a realistic way to assess, monitor and manage minor stocks that are listed in federal fishery management plans, but are not the major target of commercial or recreational fisheries and therefore would otherwise not be assessed on a regular basis.
- New guidance is provided for revision of rebuilding plans. Rebuilding plans would not expire and would remain in effect until the stock is rebuilt. The new guidelines specify that if a rebuilding plan is not achieving the expected result, Councils should take additional action to ensure success.
- The term "overfished" would be replaced with "depleted" to reflect that fish population declines are not wholly dependent on fishing. The term "depleted" takes into account environmental variations from year to year - such as high predator abundance, low reproductive success, environmental phenomenon, and natural disasters. However, regardless of the cause of a fish stock decline, fishery managers must take action to prevent further decline. If a stock is assessed as "depleted" for whatever reason, Councils will develop a rebuilding plan for that stock.

Public comments on the [proposed guidelines](#) are invited through August 22. Comments may be sent by email to: nationalstandard1@noaa.gov.